

AMENDED**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**Date of filing in State Engineer's Office OCT 16 2001Returned to applicant for correction NOV 29 2001Corrected application filed NOV 27 2001Map filed NOV 27 2001

The applicant **Falcon Capital, LLC**, a Wyoming limited liability company, hereby makes application for permission to change the **Point of Diversion, Manner and Place of Use of a Portion** of water heretofore appropriated under **Permit 24004, Certificate 9075**

1. The source of water is **Underground**
 2. The amount of water to be changed **0.0843 cfs, not to exceed 61 acre-feet annually**
 3. The water to be used for **Irrigation**
 4. The water heretofore permitted for **Wildlife Propagation and Recreation**
 5. The water is to be diverted at the following point **NW¼ SW¼, Section 26, T.17N., R.19E., M.D.B.&M., or at a point from which the SW corner of said Section 26 bears S. 35°26'00" W., a distance of 2,050.0 feet.**
 6. The existing permitted point of diversion is located within **SE¼ SE¼, Section 36, T.17N., R.19E., M.D.B.&M., or at a point from which the SE corner of said Section 36 bears S. 89°48'45" E., a distance of 40.45 feet.**
 7. Proposed place of use **See Attachment "A"**
 8. Existing place of use **Section 1, T.16N., R.19E., M.D.B.&M., Section 36, T.17N., R.19E., M.D.B.&M. Refer to map on file under Permit 24004 for existing Place of Use and Point of Diversion.**
 9. Use will be from **January 1 to December 31** of each year.
 10. Use was permitted from **January 1 to December 31** of each year.
 11. Description of proposed works **Drilled and cased well equipped with a pump, motor, meter and distribution system.**
 12. Estimated cost of works **\$75,000.00**
 13. Estimated time required to construct works **Three (3) Years**
 14. Estimated time required to complete the application of water to beneficial use **Six (6) Years**
 15. Remarks:
- By **Gregory M. Bilyeu**
s/Gregory M. Bilyeu
500 Damonte Ranch Parkway, Suite 1056
Reno, NV 89511

Compared cmf/ cac lb/

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, manner of use and place of use of a portion of the waters of an underground source as heretofore granted under Permit 24004, Certificate 9075 is issued subject to the terms and conditions imposed in said Permit 24004, Certificate 9075 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0843 cubic feet per second, or 61 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

November 4, 2005

Proof of completion of work shall be filed on or before:

December 4, 2005

Water must be placed to beneficial use on or before:

November 4, 2008

Proof of the application of water to beneficial use shall be filed on or before:

December 4, 2008

Map in support of proof of beneficial use shall be filed on or before:

December 4, 2008

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 4th day of November, A.D. 2003

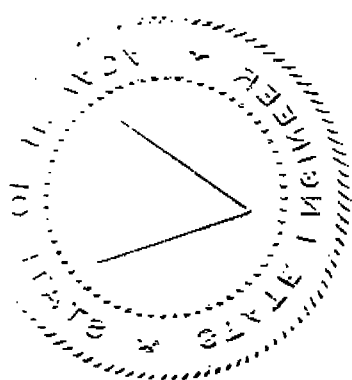

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____



ATTACHMENT "A"
PROPOSED PLACE OF USE

SECTION	SUBDIVISION	TOWNSHIP	RANGE
2	POR. NW NW	T.16N.	R.19E.
2	POR. SW NW	T.16N.	R.19E.
3	NE NE	T.16N.	R.19E.
3	POR. SE NE	T.16N.	R.19E.
3	POR. SW NE	T.16N.	R.19E.
3	NW NE	T.16N.	R.19E.
3	POR. NE NW	T.16N.	R.19E.
3	POR. SE NW	T.16N.	R.19E.
23	POR. SE SE	T.17N.	R.19E.
24	POR. NW SW	T.17N.	R.19E.
24	POR. NE SW	T.17N.	R.19E.
24	POR. SE SW	T.17N.	R.19E.
24	SW SW	T.17N.	R.19E.
25	NW NW	T.17N.	R.19E.
25	POR. NE NW	T.17N.	R.19E.
25	POR. SE NW	T.17N.	R.19E.
25	SW NW	T.17N.	R.19E.
25	POR. NW SW	T.17N.	R.19E.
25	POR. NE SW	T.17N.	R.19E.
26	POR. NW NE	T.17N.	R.19E.
26	POR. NE NE	T.17N.	R.19E.
26	SE NE	T.17N.	R.19E.
26	SW NE	T.17N.	R.19E.
26	POR. SW NW	T.17N.	R.19E.
26	POR. SE NW	T.17N.	R.19E.
26	POR. NE NW	T.17N.	R.19E.
26	NW SE	T.17N.	R.19E.
26	POR. NE SE	T.17N.	R.19E.
26	POR. SE SE	T.17N.	R.19E.
26	POR. SW SE	T.17N.	R.19E.
26	NE SW	T.17N.	R.19E.
26	SE SW	T.17N.	R.19E.
26	POR. SW SW	T.17N.	R.19E.
26	POR. NW SW	T.17N.	R.19E.
27	POR. SE SE	T.17N.	R.19E.
34	POR. NE NE	T.17N.	R.19E.
34	POR. SE NE	T.17N.	R.19E.
34	POR. SE SE	T.17N.	R.19E.
34	POR. SW SE	T.17N.	R.19E.
35	POR. NW NW	T.17N.	R.19E.
35	NE NW	T.17N.	R.19E.
35	SE NW	T.17N.	R.19E.
35	POR. SW NW	T.17N.	R.19E.
35	POR. NW SW	T.17N.	R.19E.
35	NE SW	T.17N.	R.19E.
35	SE SW	T.17N.	R.19E.
35	POR. SW SW	T.17N.	R.19E.
35	POR. NW NE	T.17N.	R.19E.
35	POR. SW NE	T.17N.	R.19E.
35	POR. NW SE	T.17N.	R.19E.
35	POR. SW SE	T.17N.	R.19E.

